

UNITED STATES DISTRICT COURT

for the
District of New Mexico

FILED

United States District Court
Albuquerque, New MexicoMitchell R. Elfers
Clerk of CourtIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

Case No. 24-MR-1514

Oral DNA swabs to be collected from the person of
Steven ROBLES, SSN XXX-XX-0893, YOB 2005

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A, incorporated by reference.

located in the _____ District of _____ New Mexico _____, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, incorporated by reference.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

evidence of a crime;
 contraband, fruits of crime, or other items illegally possessed;
 property designed for use, intended for use, or used in committing a crime;
 a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

Offense Description

18 USC 2119; 18 USC 924(c); Carjacking; Use of a firearm in the commission of a crime of violence; Possession 18 USC 922(j); 21 USC 841; of a Stolen Firearm; Possession with intent to distribute controlled substances; 18 USC 924(c) Use of a firearm in the commission of a drug trafficking crime

The application is based on these facts:

See attached affidavit.

Continued on the attached sheet.
 Delayed notice of _____ days (give exact ending date if more than 30 days): _____ is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


 Applicant's signature

Sarah Rich, Special Agent

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
(specify reliable electronic means).

Date: 08/15/2024


 Judge's signature

City and state: Albuquerque, New Mexico

Jennifer M. Rozzoni, United States Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

IN THE MATTER OF THE SEARCH OF:

Oral DNA swabs to be collected from the person of Steven ROBLES, SSN XXX-XX-0893, YOB 2005.

Case No. 24-MR-1514

AFFIDAVIT

I, Sarah Rich, having been duly sworn, hereby deposes and says:

INTRODUCTION

1. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure (“FRCP”) for a warrant to obtain a Deoxyribonucleic Acid (“DNA”) sample, by way of buccal swab, from STEVEN ROBLES (“**ROBLES**”), born in 2005 with social security number XXX-XX-0893, for laboratory analysis.

2. I am a Special Agent with the Federal Bureau of Investigation (“FBI”) and have been so employed since November of 2014. As such, I am a federal law enforcement officer within the meaning of Rule 41 of the Federal Rules of Criminal Procedure (“FRCP”). I am assigned to the Albuquerque Field Office of the FBI and the FBI’s Violent Crime Task Force (“VCTF”). I have received on-the-job training from other experienced agents and detectives in the investigations of gang-related crimes, narcotics trafficking, firearms violations, carjackings, Hobbs Act robberies, bank robberies, homicides, assaults, terrorism violations, and cybercrime. My investigative training and experience includes, but is not limited to, interviewing subjects, targets, and witnesses; writing affidavits for and executing search and arrest warrants; managing

cooperating sources; collecting evidence; conducting surveillance; and analyzing public records.

3. As a result of my training and experience, and based on my consultation with other law enforcement officers experienced in investigations, and my knowledge of this investigation, I am aware that when individuals handle objects such as firearms, their DNA is often left behind and detectable by lab technicians conducting forensic analysis on the object.

4. Because this affidavit is submitted for the limited purpose of seeking a search warrant for an individual, I have not set forth each and every fact learned during the course of this investigation. I have set forth only the facts that I believe are necessary to establish the foundation for an order authorizing the requested search warrant.

5. I submit there is probable cause to believe **ROBLES**'s DNA may be present on, or within, firearms, firearm magazines and ammunition collected during a lawful search executed on a 2023 Buick Envision bearing New Mexico license plate DM12SQ and vehicle identification number (VIN) LRBFZSR42PD061840, as well as firearms, firearm magazines, ammunition, and packaging containing suspect narcotics collected during a lawful search executed on a 2003 Honda Accord bearing New Mexico license plate BBGM15 with VIN 1HGCM72613A023749.. I believe the requested DNA sample will yield evidence that **ROBLES** violated various federal criminal statutes, including 18 U.S.C. § 2119 - Carjacking; 18 U.S.C. § 924(c) – Use of a firearm in the commission of a crime of violence; 18 U.S.C. § 922(j) - Possession of a stolen firearm; 21 U.S.C. § 841 – Possession with intent to distribute controlled substances; and 18 U.S.C. § 924(c) – Use of a firearm in the commission of a drug trafficking crime.

6. **ROBLES** is currently in custody at the Bernalillo County Metropolitan Detention Center, in the District of New Mexico, following his arrest on July 6, 2024, for Aggravated Fleeing of a Law Enforcement Officer and Resisting/Evading.

STATEMENT OF PROBABLE CAUSE

7. On January 23, 2024, at approximately 10:05AM, Albuquerque Police Department (APD) personnel were dispatched to 2740 Wyoming Blvd NE, Albuquerque, NM 87111 in regard to a carjacking at gunpoint. Victim V.E. (hereinafter “Jane Doe”) reported that she arrived at the location at approximately 10:00AM and exited her vehicle, described as a 2023 Buick Envision bearing New Mexico license plate DM12SQ. As she exited, Jane Doe was grabbed by an unidentified Hispanic male (UNSUB) wearing a black sweatshirt and black pants. Jane Doe observed the UNSUB holding a black and silver handgun in his right hand. Jane Doe began to run away from the UNSUB; however, she stopped and handed the UNSUB her purse due to fear of the UNSUB discharging the handgun. The UNSUB then told Jane Doe to hand over her car keys. Jane Doe informed the UNSUB her keys were in her purse. The UNSUB then entered Jane Doe’s Buick Envision and left the parking lot. Jane Doe further described the UNSUB as approximately 5’5” in height and approximately 30 years of age. Based on the information contained in this affidavit, **ROBLES** is the primary suspect in this carjacking.

8. Jane Doe was able to use an iPhone cell phone belonging to a bystander to track the location of Jane Doe’s iPhone, which was inside her purse in the stolen Buick. Tracking of Jane Doe’s iPhone led APD personnel to the area of the intersection of

Shoshone Road and Eubank Boulevard, however, APD personnel were unable to locate the stolen Buick Envision at this location.

9. The OnStar Corporation, a subsidiary of General Motors which provides subscription-based communications, in-vehicle security, emergency services, navigation and remote diagnostics for customers, contacted APD with information regarding the location of the stolen Buick Envision. OnStar identified the stolen vehicle as near the area of 2612 Florida St NE in Albuquerque, New Mexico. APD personnel responded to that location just before 10:45AM and positively identified the stolen Buick. APD also observed a Hispanic male in the driver seat of the car matching the description of the UNSUB. More specifically, the male was wearing a black hoodie and black/dark blue jeans.

10. The UNSUB drove the Buick Envision to the corner of Florida St. NE and Menaul Boulevard to a Discount Tire store. Approximately 30 minutes later the UNSUB left the Discount Tire store and drove the stolen Buick to the Coronado Mall, then proceeded to drive erratically through the Coronado Mall parking lots. APD personnel believed the UNSUB was casing the parking lots to carjack another vehicle due to the UNSUB's observed behaviors. APD personnel approached the UNSUB with their police vehicles after which the UNSUB attempted to flee police by crashing into police vehicles. After the UNSUB crashed his vehicle, APD personnel gave verbal commands for the UNSUB to exit the vehicle. The UNSUB exited the stolen Buick Envision through the passenger side door and fled on foot, running east toward the mall entrance. APD personnel then utilized less lethal means as well as a canine unit to apprehend the UNSUB prior to him entering the mall.

11. The UNSUB was subsequently identified by APD personnel as **ROBLES**. Jane Doe also completed a field identification and positively identified **ROBLES** as the UNSUB who had carjacked her at gunpoint approximately three hours prior.

12. Jane Doe's mother, D.P., who is the owner of the stolen Buick Envision, was contacted by APD personnel and provided verbal consent for APD to search the vehicle. APD personnel collected evidence from the vehicle and the scene where **ROBLES** was apprehended. Items taken into evidence by APD included a black Glock GMBH pistol bearing serial number BWHS792, a Romarm/Cugir AK pistol bearing serial number DF-028519RO, an AR15-style rifle bearing serial number 2-090161, a red purse, and gray gloves. These firearms were not in the vehicle at the time of the carjacking and do not belong to Jane Doe or Jane Doe's mother. Surveillance camera footage was also collected from the Coronado Mall.

13. **ROBLES** was arrested by APD and charged with Armed Robbery, Unlawful Taking of a Motor Vehicle, Littering, and Resisting/Evading/Obstructing an Officer. **ROBLES** was later released on state pre-trial release pending trial and resolution of the aforementioned charges.

14. On July 6, 2024, subsequent to **ROBLES** pre-trial release, at approximately 12:47AM, APD personnel were conducting surveillance in the parking garage located at 1 Central NW in Albuquerque. APD personnel observed a green Honda sedan parked on the top floor of the parking garage bearing New Mexico license plate BBGM15. A Hispanic male later determined to be **ROBLES** was identified as the driver. **ROBLES** was wearing a red top and had goatee-style facial hair. A second Hispanic male subject (UNSUB 1) with curly hair and a tattoo on the right side of his neck was

identified as the passenger of the green Honda. **ROBLES** and UNSUB 1 were observed approaching a group that had gathered on the top floor of the garage. UNSUB 1 was observed arguing with a third unidentified male in the group (UNSUB 2). UNSUB 1 was observed returning to the green Honda, retrieving a black AR15-style rifle, and concealing the rifle in his pant leg. UNSUB 1 reapproached UNSUB 2 and they appeared to be arguing. UNSUB 1 exposed the rifle before concealing it again.

15. APD personnel called for additional APD units to respond to the garage. Unknown persons were heard saying “cops” in the garage, and the group on the top floor of the garage began to get into their respective vehicles. **ROBLES** and UNSUB 1 returned to the green Honda and entered the vehicle, with **ROBLES** entering the driver seat. APD personnel issued commands for **ROBLES** and UNSUB 1 to stop the vehicle and exit. The green Honda was driven forward hitting several cars including a marked APD vehicle. APD personnel deployed a tire deflation device at the bottom exit of the parking garage. The green Honda fled from the parking garage, drove over the deflation device, and continued several blocks. The green Honda came to a stop near the intersection of 3rd Avenue and Gold Avenue in Albuquerque. **ROBLES** and UNSUB 1 were then observed fleeing on foot. APD personnel pursued **ROBLES** and UNSUB 1 and were able to take **ROBLES**, the driver of the green Honda, into custody near the intersection of 3rd Avenue and Lead Avenue. **ROBLES** was again arrested by APD personnel for Aggravated Fleeing of a Law Enforcement Officer and Resisting/Evading.

16. At approximately 1:07AM, APD evidence collection personnel were dispatched to the intersection of 3rd Avenue and Gold Avenue. The green Honda was more fully identified as a 2003 Honda Accord bearing New Mexico license plate

BBGM15 with VIN 1HGCM72613A023749. APD personnel photographed and obtained swabs and latent prints from the exterior of the Honda Accord, then the vehicle was sealed by APD personnel at approximately 1:55AM pending a search warrant.

17. On July 10, 2024, at approximately 12:20PM, APD personnel executed a search warrant on the green Honda Accord. APD personnel collected evidence including a Palmetto State Armory PA-15 SBR rifle bearing serial number SCD198760 (located in the backseat and appears to be similar in appearance to the rifle held by UNSUB 1); a loaded Glock 19 firearm bearing serial number AHKP645 (located near the rear driver side door, behind where **ROBLES** was seated); and multiple rounds of ammunition to include .223 rounds. A black fanny pack was located on the driver side floorboard, underneath where **ROBLES** was sitting. The pack contained ammunition, a Glock magazine that would fit the seized Glock, approximately 32.5 grams of cocaine, a digital scale, and rubber gloves. A database records check by APD personnel confirmed the Glock 19 pistol bearing serial number AHKP645 was stolen. A test fire and check of the National Integrated Ballistic Information Network (NIBIN) also showed this Glock 19 pistol had been involved in a shooting incident where multiple casings were recovered, but no victim or suspect information was developed.

INTERSTATE NEXUS

18. Jane Doe's vehicle, which was taken by force by an individual believed to be **ROBLES**, is a Buick Envision. Based on my training and knowledge, the Buick Envision is manufactured in Yantai, China. Therefore, the vehicle traveled in, and affected, interstate commerce before **ROBLES** took it by force from Jane Doe on January 23, 2024.

19. Also based on my training and knowledge, the stolen Glock 19 pistol bearing serial number AHKP645 and located near where **ROBLES** was seated in the Honda on July 6, 2024, was manufactured in Glock production factories located in Austria, Slovakia, or Smyrna, Georgia in the United States. Therefore, the firearm traveled in, and affected, interstate commerce before it was in **ROBLES**'s possession on July 6, 2024.

DNA TESTING

20. Through my training and experience, I am aware that human saliva and droplets of human sweat contain DNA, which can be used to help identify an individual, and that DNA from human saliva or sweat droplets can potentially be recovered and used to help identify an individual, after the individual comes in contact with a surface or an object. Based on my training and experience, I am aware that an individual who handles an object will likely leave behind biological material that will include DNA. This is true when an individual handles firearms, firearm magazines, and ammunition, as well as other objects.

21. In this case, Jane Doe observed **ROBLES** possess a gun during the carjacking offense on January 23, 2024, as described in this affidavit, and other firearms were recovered in the vehicle subsequent to the arrest of **ROBLES**. Then, a stolen Glock 19 pistol bearing serial number AHKP645 was recovered from the green Honda Accord that **ROBLES** was observed by APD personnel to be driving on July 6, 2024, behind where **ROBLES** was seated. A black bag located on the floorboard where **ROBLES** was seated in this car contained narcotics, narcotics packaging, drug paraphernalia, and a firearm magazine. In my training and experience, there is probable cause to believe

ROBLES's DNA will be found on these items. Obtaining a DNA sample from **ROBLES** will aid the FBI laboratory in collecting evidence from the firearms and other seized items.

22. I am aware the FBI Laboratory is unable to utilize DNA in the Combined DNA Index System (CODIS) to conduct comparison tests. Instead, the FBI Laboratory requires a comparison DNA sample to determine whether a subject's DNA matches the DNA obtained from evidence.

23. **ROBLES** is in custody at the Metropolitan Detention Center. Furthermore, I am aware **ROBLES** is represented by legal counsel in connection with these offenses. Officials executing the requested warrant will refrain from asking questions about or discussing the charges with **ROBLES**.

CONCLUSION

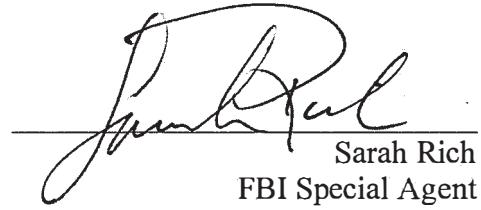
24. Based on the information set forth above, there is probable cause to believe that evidence of violations of 18 U.S.C. § 2119 (Carjacking), 18 U.S.C. § 924(c) (Use of a firearm in the commission of a crime of violence); 18 U.S.C. § 922(j) (Possession of a stolen firearm); 21 U.S.C. § 841 (Possession with intent to distribute controlled substances); and 18 U.S.C. § 924(c) (Use of a firearm in the commission of a drug trafficking crime) will be found on the person of **ROBLES**. I respectfully request a

search warrant be issued to search the person of **ROBLES** for the purpose of obtaining DNA to compare with any DNA located on the seized items.

25. The items of evidence listed above are currently in APD evidence custody and will be transferred to the lawful custody of the FBI. Upon collection of the firearms, APD evidence collection personnel swabbed the firearms for possible DNA evidence, as is standard procedure based on my training and experience. These collected swabs are also in the lawful custody APD evidence and will be transferred to the custody of the FBI. Those samples will be compared with DNA samples collected from **ROBLES** pursuant to the authorization sought in this application.

26. Assistant United States Attorney Natasha Moghadam has reviewed and approved this application.

27. I swear that this information is true and correct to the best of my knowledge.



Sarah Rich
FBI Special Agent

Electronically SUBMITTED and telephonically SWORN to me this 15th day of August, 2024:



JENNIFER M. ROZZONI
United States Magistrate Judge
District of New Mexico

ATTACHMENT A

The property to be searched is described as follows:

The person of Steven ROBLES (“ROBLES”), year of birth: 2005, social security number XXX-XX-0893. ROBLES is currently in custody at the Bernalillo County Metropolitan Detention Center located at 100 Deputy Dean Miera Dr SW, Albuquerque, New Mexico 87151.

ATTACHMENT B

The following material, which constitute evidence of the commission of a criminal offense, namely violations of 18 U.S.C. § 2119 (Carjacking), 18 U.S.C. § 924(c) (Use of a firearm in the commission of a crime of violence); 18 U.S.C. § 922(j) (Possession of a stolen firearm); 21 U.S.C. § 841 (Possession with intent to distribute controlled substances); and 18 U.S.C. § 924(c) (Use of a firearm in the commission of a drug trafficking crime):

1. Deoxyribonucleic Acid (“DNA”) sample from Steven Robles.